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SPEECH  
OF  
HON. S. A. DOUGLAS, OF ILLINOIS,  
ON  
THE ARMY APPROPRIATION BILL.

DELIVERED IN THE UNITED STATES SENATE, AUGUST 27, 1856.

Mr. DOUGLAS. Mr. President: The senator from New York [Mr. SEWARD] who has just taken his seat, has made himself merry over the prospect of the defeat of the appropriation bill for the army. I have never seen him so exultant and jubilant since he has been a member of this body as on the occasion of what he considers to be the great triumph which he hopes to achieve in paralyzing at least one of the departments of the government. He has referred to the evils and the mischievous and unfortunate consequences which may result, and has made them the subject of ridicule, and of laughter and of mirth. I confess that I listened to him with no pleasure when I heard him discussing the question in that mood. I confess that I am not able to sympathise with the tone of feeling which makes him so exultant in the prospect of such consequences.

That mischiefs must result from the defeat of the general appropriation bill for the army is a fact to which no one for a moment can close his eyes. That it must have a deranging and disorganizing effect on all the operations of that department of the government, if it does not entirely paralyze them, is certainly true. That it must bring suffering and distress to a very large portion of the people of the United States is admitted by all. That it must bring discredit upon this country abroad in the eyes of the whole civilized world, no one can question. Why, then, should this be a subject of rejoicing? Sir, the history of the world shows that whenever an attempt has been made to overthrow any government, good or bad, the first step has been to cripple and destroy the the army. Revolutionists at all times—men bent on the destruction of their government, no matter by what purpose animated, or what cause they allege to justify themselves, first attempt to destroy the regular force of the country. I have no sympathy in this movement; have never admired that complacency which can rejoice in public misfortunes, since I read the story of Nero, who could make himself merry and fiddle while Rome was burning!

Sir, circumstances have begun to develop themselves which enable us now to see the whole scheme which has been plotted and arranged, and is now being executed. The first part of the scheme was to defeat the appropriations for the Territory of Kansas, and, if possible, to paralyze the civil government there. The next was to organize a body of armed desperadoes to invade Kansas for the purpose of getting up civil war. The political party with which the senator from New York is identified, and of which it may be said he is the chief, in a convention at Buffalo, agreed to raise \$100,000 a month to employ

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men, and supply, arm, and equip them to invade Kansas, for the purpose of making war upon the law and order men there. They have had their men hovering on the western boundary of Iowa for weeks, waiting for the adjournment of Congress, and for the telegraphic dispatch to reach them announcing that the army bill had been defeated, so that the war could commence. You kept your forces there, first, to control the election in Iowa by fraudulent and illegal votes, and then to be marched across the river to murder the inhabitants and burn the towns in Kansas. Your men were kept there for that purpose, receiving telegraphic information from their leaders here, and the moment they were informed that the army bill had been defeated, the civil war instantly commenced in Kansas. Houses were burned, buildings destroyed, a post office consumed, innocent inhabitants shot down in cold blood, without the slightest pretext or provocation.

For weeks previous to that time—yes, for months previous—there had been peace, quiet, and order in Kansas. There was no disturbance there. The people were happy in the security that surrounded them, and there would never have been another telegraphic despatch or communication conveying the sad intelligence of bloodshed and murder if Lane had not been sent there by the freesoil party to get up civil war as a party movement. The facts of the case are too clear to allow any man to deny them; and there is no one of you who does not rejoice when the news of a new conflagration or of a new murder reaches you. It is notorious to every man in Washington that if you see the freesoilers with their eyes glistening, and congratulating each other, it is when they have heard of murder, of robbery, of larceny, of house-burning in Kansas by their agents for political effect. This is a part of the political campaign. I confess that it is a sad spectacle to behold; it is a mournful thought, that the blood of innocent men can be shed, for party purposes, in pursuance of caucus arrangements, in order to control the presidential election; yet the fact is too glaring for any man to deny or doubt it. This invasion of Kansas is unprovoked; the murders are of the most barbarous and cruel character; the Territory is being ravaged for the purpose of compelling citizens there to rally in their defence and bring on a pitched battle, in order that you may show some of your own men as martyrs sacrificed to freedom!

Your daily prayers and nightly invocations are that a battle may take place, in which some men from the north may be murdered, that you may play the part of Mark Antony over the dead Cæsars. If a pro-slavery man is killed, it is a glorious triumph in your estimation. If a freesoil man is killed, it is so much political capital for the stump and for the newspapers. It is on such an issue that the senator from Massachusetts challenges and dares us to go before the country. Sir, it is an issue from which every feeling of my heart recoils. The idea that blood shall be spilled and murders perpetrated for political effect is revolting to every sentiment of humanity. Yet, sir, if it must be so, let us carry this issue to the country, and charge these crimes on the heads of the men in this city who get them up and the party who sustains them. Sir, in my heart I believe that every drop of blood shed in Kansas rests upon the souls of the leaders of that political party which is organizing this civil war with a view to the presidential



election. If they can rejoice in the prospect of consummating their plan of the campaign, their feelings are very different from mine.

What is the excuse for all of this organization of military force, this invasion of a peaceable people, this burning of houses and murdering of citizens? The excuse is, that certain laws, which have been read to the Senate several times to-day, and on many previous occasions also, are cruel and tyrannical, inhuman and barbarous. That is the only excuse which is offered for all this crime. You say that you are not willing to allow the President of the United States to use the military force for the enforcement of these barbarous laws. When did he ever propose to use it for that purpose? When has he ever used it to enforce one of them? You know very well that up to this hour no one prosecution has ever arisen under any one of those laws of which you complain. By common and universal consent in Kansas these laws remain unexecuted, and no mortal man has ever made a complaint to a court of justice, so far as I can learn, for a writ or process for a violation of any one of those obnoxious laws. You know that they have never been executed. You know that the very officers of whom you complain in Kansas do not pretend to enforce them. Hence you have no right to suppose, and I undertake to say you do not believe, that these particular laws are to be enforced by this appropriation; and, therefore, the excuse which you give for the defeat of the army appropriation bill is not sustained by the facts. It is a mere pretext, and has no foundation in truth.

Whenever I find a man saying to me on the stump that his vote against the army bill was in order to prevent the President from enforcing those particular obnoxious laws, I shall say to him that he knows that pretext is not true; that there is not an honest man living who does not know that it is a mere excuse. You know that the appropriation bill is not for the enforcement of those particular laws. You have been told before, time and time again, that no one of those laws has been enforced, no one of their penalties has been inflicted, no case of the kind has ever arisen; yet, when one of you rise to make a speech to excuse the crime of stopping the wheels of government and producing civil war in the Territory of Kansas, you cite these very laws which nobody pretends to enforce. Whenever men are driven to give a false reason for their persistent action, it shows that there is a true reason which decency or patriotism does not allow them to avow.

I show that the pretence in regard to these laws is a false reason, and the inference is that there is a different one which impels their action; and why not avow the true one if consistent with honor, with duty, with patriotism? I am constrained to believe that, if there were no presidential election approaching, there would be entire quiet and peace in Kansas. I am constrained to believe that each crime committed there recently has been done by the orders of a political organization. I am constrained to believe that Lane is the regularly appointed agent and commander for that purpose, and that this is not to cease until after the presidential election. When that election is over, if the Constitution triumphs, as I believe it will, there will be peace in Kansas; for there will be no motive for any political party to spend money to fit out bands of marauders and desperadoes to get up civil war.



Mr. WILSON. Order will reign in Warsaw then.

Mr. DOUGLAS. Order will reign in Warsaw, the senator says. All these cant phrases are used for the purpose of concealing a design. None of you will pretend that these obnoxious laws, to which you refer so often, have been the cause of the disorders and disturbances which have occurred in Kansas.

Again: is it really true that you are anxious to get rid of these obnoxious laws? If it were true, with your organized majority in the other House, sufficiently numerous and well trained to defeat the appropriation bills and stop the wheels of government, could you not have passed a bill to repeal the obnoxious laws? You have not dared to pass a bill to repeal them for fear the Senate would concur, and thus destroy your political capital.

Mr. WADE. The House of Representatives did pass a bill, and sent it here, repealing those laws, and the Senate has never touched it.

Mr. DOUGLAS. What bill?

Mr. WADE. It is called Dunn's bill. You commented on it before.

Mr. DOUGLAS. I am much obliged to the senator for calling my attention to it. He will, I suppose, be frank enough to withdraw a part of this statement. I say I did touch Dunn's bill and not very lightly. I made a report upon it, and I made a speech upon it, and I showed the character of that bill. Now, I will tell the senator from Ohio that I showed that that bill does not repeal one of those laws, unless it may be by the general declaration of rights; but, on the contrary, it recognizes the validity of the entire code of laws enacted by the legislature at the Shawnee Mission. It provides that it shall be the duty of the judges, the governor, the marshal, the district attorneys, the sheriffs, and justices of the peace, to remain in office, and execute those very laws, in so many words. It will not do for the senator to shake his head. The bill is a part of the archives of this government. It will remain a permanent record, to stare you in the face, and convict every man who dares to deny that the whole free-soil party in the House of Representatives, with one exception, voted for a bill to recognize the validity of these very laws.

Mr. WADE. As the senator has alluded to that bill twice before, I wish barely to put this question to him: If the republican party in the House by voting for that bill affirmed those laws, did not the senator's party, by voting against the bill or acting against it, disaffirm them?

Mr. DOUGLAS. I will answer the senator. We did not disaffirm them, for these reasons: By the organic law of the Territory, whenever the legislature passed an enactment it became a law, with the approval of the governor, without being reported to Congress at all. No affirmation of the laws was necessary in order to make them valid. If you bring in a proposition now to affirm any law in any Territory—Minnesota, Nebraska, Oregon, or Washington—about the propriety of which there is no controversy, I would vote to lay it on the table, for the reason that no legislation is necessary upon the subject. You give no validity by the affirmance. You do not impart vitality to it, for it had all the sanctions of law before such action. Our motion was to lay this bill on the table, and I voted for the motion. It had no affect in the affirmance or disaffirmance of the acts;



but the House of Representatives, by their vote on the bill prepared by themselves, have declared in so many words that those laws are valid, and shall be enforced, with the exception of the criminal code. You affirmed that slavery law, extracts of which were read by the senator from Massachusetts to-day. Every free-soiler, every Frémont man in the House of Representatives, voted to affirm those very laws in regard to slavery which the senator from Massachusetts read and condemned to-day.

Mr. WADE. Is the senator claiming that he has changed sides with the abolitionists; that they are in favor of slavery and he opposed to it? Is that his position.

Mr. DOUGLAS. When the senator asks this question, and takes his seat, I will answer him.

Mr. WADE. I put this question.

Mr. DOUGLAS. Put the question and sit down.

Mr. WADE. You say that this side of the House voted to continue slavery in the Territory of Kansas, and, therefore, you were opposed to their action. If they become pro-slavery by that, you become an abolitionist, being exactly the opposite.

Mr. DOUGLAS. My object is not to prove that they become pro-slavery, or that I have become anti-slavery. My object is to prove that they are not sincere when they pretend that they wish to defeat the army appropriation bill because of those laws, but that they wish it for blood, murder, robbery, civil war, for political effect, instead of the repeal of those laws; that they are opposed to the repeal of those laws, in order to make political capital out of it, at the same time that they condemn the laws in their political speeches.

Sir, I have said that every man of that party, with one exception, voted to recognize the validity of those laws; that one has published a letter, in which he assigns his reason for his vote. I find the letter in the newspapers.

Mr. WADE. I do not wish to interrupt the senator; but he says we are opposed to the repeal of those laws. I want to know how it happened this morning, on our endeavoring to repeal them, that every member on the other side of the House voted to lay the bill on the table.

Mr. DOUGLAS. We passed a bill to annul them once, and sent it to the House of Representatives, and your majority would not take it up and pass it. We then sent the bill a second time, and your majority in the House of Representatives would not take it up. It was well known that the reason why you would not take it up was the fear that a few of your men would join us and pass the bill. It was unnecessary for us to send a third bill—twice, assuredly, was enough. It is no excuse to say that our bill contained other matter which you did not like in connexion with that repealing section. If you had insuperable objections to the other matter, if it involved your consciences or your judgment, you could have stricken out all that you objected to, and sent us the residue. You have had assurances sufficient to-day that your action would have been concurred in by the Senate in a moment if you had done it; and if your folks are sincere in desiring these obnoxious laws to be repealed, you will take up our bill and certainly pass the repealing section, whether you pass the remainder or



not, before 12 o'clock to-morrow. We shall now wait to see whether you are sincere in trying to get rid of these obnoxious laws. I believe, and it is painful to me to be under the necessity of saying that I have been forced to the conviction, that you will not permit these obnoxious laws to be swept from the statute book until after the presidential election. I believe you have a distinct understanding that the repealing bill shall not pass. It is the main plank in your political platform for the pending election.

But I said I would read an extract from a letter of one member of the black republican party of the House who could not vote for your bill. He says :

" We passed Dunn's bill for Kansas yesterday in a very objectionable manner. It has many good provisions, but extends the fugitive-slave law over Kansas and Nebraska, and perpetuates slavery there until 1858, and makes all children born therein up to that time of slave mothers slaves. This was too much for me. I have always said, and now repeat my pledges, that I will never vote to recognize slavery ; I will never vote to make any human being a slave ; I will never vote to extend slavery one single foot ; I will never vote for the fugitive-slave law or its extension over any free territory. I therefore voted against Dunn's bill, solitary and alone of all our party."

A SENATOR. Who is that ?

Mr. DOUGLAS. Mr. LEITER, of Ohio. He shows in this letter that it was known and understood, at the time when every member of the freesoil party but himself voted for that bill, that they were voting to perpetuate slavery in the Territory by continuing in force laws which are so obnoxious to gentlemen now. It also appears from this letter that they knew that they were voting on a proposition to make children hereafter born slaves for life, and their posterity after them, if born of slave mothers and removed from the Territory before 1858. The letter shows, too, that you all knew, when you passed that bill, that you were voting to extend the fugitive-slave law over Kansas Territory, with all its provisions, at the same time that the senator from Massachusetts, in his speech to-day, talks of the barbarity of the fugitive-slave law, of its heavy and monstrous penalties in not allowing food and raiment and water to be furnished to the unfortunate fugitive. I will not repeat his doleful speech on that branch of the subject delivered to-day. I wish him to bear in mind that every man of his political party in the House of Representatives, with one exception, did every act which he condemns, and is responsible for every consequence which he professes to lament. Do not misunderstand me on this point. I am not complaining of the harshness or the injustice of the fugitive-slave law. I believe it was a law required by the Constitution of our country, and I sustain it for that reason. But with what face or show of justice or truth can one of this freesoil or black republican party rise and condemn that fugitive-law, when he knows that his whole party have voted for it within the last three or four weeks ?

Then, sir, we find, upon looking into this question, that it is clear to the mind of every impartial man, that while the democratic Senate desire to get rid of those laws which violated the freedom of speech, and all those great and fundamental principles of liberty and justice intended to be secured by the Constitution and the organic act, the freesoilers, for political effect, have managed to perpetuate those laws on the statute book, in order that they may use them for political effect after Congress adjourns.



Mr. WADE. I should like to inquire how long it is since the senator became convinced that those laws were so obnoxious, and ought to be swept away. It is certainly since his first or second report on the subject.

Mr. DOUGLAS. I will answer that question. I regarded those laws to which I referred as being repugnant to the Constitution and to the organic act. I was entirely willing to rely on the judiciary to make wise decisions on that subject in the annulment of those laws. I did not believe that a law infringing the freedom of the press was consistent with the organic act allowing a decision of the slavery question by the people themselves. So with a long list of those laws; but I did not deem it any part of my duty, nor did I deem it necessary to wipe out those laws by legislative enactment, for the reason that the courts would do it. But when it was proposed here I was entirely willing to pass a declaratory act that they were null and void, and should not be enforced, in order to bring the men who hoped to make political capital out of them to the test, and show that you would never permit those laws to be blotted out. You cling to them as you would to the last hope of life. If they had been blotted out you would have lost all your capital on the stump; you would have been under the necessity of rewriting all your stump speeches, changing the tone of all your newspapers, and of making an entire new plan of campaign for the presidential election.

Mr. President, I have shown that the House would not pass a bill to repeal the obnoxious laws. I have shown that they would not take up and act on our bill when we did pass it. Let us trace this history a little further. In this very proviso to the army bill they have not even there a repeal of the obnoxious laws. That very proviso preserves those laws in force as they are. You do not even propose to repeal them in the proviso.

Now, let me see what you have done by your appropriation bills. You first put in a proviso not to allow the judges to have their salaries until they should dismiss certain prosecutions. If they dismissed the prosecutions for political offences they were to have their salaries; but when they got their salaries, what were they to do? Of course, go on and hold their courts, and try murderers, thieves, robbers, and every man guilty of crime. At last you receded from your condition or proviso to the legislative, executive, and judicial appropriation bill, and allowed it to become a law. I will not say that the fact that it contained an appropriation for your pay and mine was any inducement for thus receding; but it so happened that the bill on which you receded from your provisos, and passed, contained the appropriations to pay the governor, the judges, and all the civil officers of the Territory. You thus have voted money already to carry those laws into effect. Your proviso to the army bill leaves them in force, but says the President shall not use the military power to enforce them. You leave them in force; you make it the duty of the governor of the Territory to enforce them; you leave it to the judges to enforce them; and by appropriating for their salaries, you leave them on the statute book with entire vigor for them to enforce. You furnish the money to do it, and you only provide that the President shall not use the military power of the government. Now, if you intended to blot out



those bad laws, would you have framed language of that kind? It is clear that it has never been the intention to allow these laws to be blotted out or repealed. Great skill was shown in drawing the proviso to the army bill in such a way as to leave the obnoxious laws in force, to be talked about on the stump during the campaign, at the same time you cripple the President and deprive him of the power of coming to the rescue of the civil authority. Hence it is evident that the proviso to this army bill is not designed to prevent the execution of those laws. You never intended it for that purpose. It was designed to cripple the army—not to prevent the execution of those laws in Kansas, for you left them in force, you recognized their validity, you appropriated the money for the governor to enforce them. You appropriated the money to the judiciary for the same purposes. You did everything that could be done to aid the civil authorities in enforcing them, but you would not allow the military power to be used.

I am, therefore, forced to the conclusion that by framing this proviso, thus guarded, to preserve these darling laws, which you hug to your hearts so dearly, in order to use them for political effect, you wish to get rid of the army in order to get up a civil war on account of these very laws which you thus leave in force. Why did you thus limit the power of the army at the same time that you recognized the laws as being in force, and authorized the governor and judges to carry them into effect? If the governor and judges did not attempt to execute the laws, perhaps, you would not have any pretext for getting up civil war. In order to make the scheme complete, it was necessary to make it the duty of the civil officers to carry the laws into effect, and then prohibit the President from aiding the civil authorities, and then march an army of your own into the Territory under your own leaders, and thus you get up a civil war in which blood can flow, and flames can rage, and the country can be laid waste, and you can have victims who will answer as “good enough Morgans,” at least until after the election.

Mr. President, I repeat that I take no pleasure in showing up a scheme of revolution so daring, so reckless, so treasonable in its purposes as the one which I have noticed here to-day. Each day brings confirmatory news of the whole scheme—an attempt to destroy a government that you cannot rule. It is a painful reflection that one of the great political parties of the country allow passion, or prejudice, or ambition to urge them to an extent that would destroy the very temple of liberty in which we are assembled. I believe that it is a question of union or disunion, depending upon the protection of the Constitution of the United States inviolable. I look upon it as a contest rising in importance and magnitude far above any other that this or any other country has ever witnessed, because we have a party arrayed against the Constitution on the one hand, and a party upholding and sustaining the Constitution and the Union of the country upon the other. When the question shall be submitted to the people, and fully understood, a rebuke will be administered to these revolutionists more severe, terrible, and overwhelming than any which any band of desperate men who combined to seize and destroy the liberties of their country ever received.